

**Docket No:** 11-0369  
**Bench Date:** 06/22/11  
**Deadline:** N/A

**MEMORANDUM**

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**TO:** The Commission

**FROM:** D. Ethan Kimbrel, Administrative Law Judge

**DATE:** June 13, 2011

**SUBJECT:** Aqua Illinois, Inc.

Petition for Temporary and Permanent Certificates of Public Convenience and Necessity to Construct, Operate and Maintain Water and Wastewater Systems under Section 8-406 of the Public Utilities Act.

**RECOMMENDATION:** Grant Temporary Certificate.

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On April 25, 2011, Aqua Illinois, Inc. ("Aqua," "Company" or "Petitioner") filed a Verified Petition with the Illinois Commerce Commission ("Commission") for both temporary and permanent Certificates of Public Convenience and Necessity ("Temporary Certificate" and "Permanent Certificate," respectively) pursuant to Section 8-406 of the Illinois Public Utilities Act ("Act"), 220 ILCS 5/8-406, to authorize Aqua to construct, operate and maintain a water distribution system and wastewater collection system, and in connection therewith, transact a public utility business, in an area of Will County, Illinois which is contiguous to areas for which the Company was previously granted a Certificate of Public Convenience and Necessity. Aqua requested that, with respect to the Temporary Certificate, its Verified Petition be reviewed on an expedited basis.

On May 27, 2011, the Commission Staff ("Staff") filed the Verified Statement of William Atwood in response to Aqua's application for the Temporary Certificate. Staff agrees that an emergency need exists for the temporary provision of wastewater collection service by Petitioner. No other public sewer service provider is interested in or has the capability and capacity to operate such a system. Staff recommends that Aqua be granted a Temporary Certificate.

Aqua's Verified Petition for a Temporary Certificate should be granted pursuant to Section 8-406(e) of the Act, subject to the conditions set forth by Staff in Mr. Atwood's Verified Statement.

DK:jt